

REMARKS

The present Amendment amends claims 1-8 and 11, leaves claims 15-19 unchanged, cancels claims 12-14 and 20 and adds new claims 21-31. Therefore, the present application has pending claims 1-8, 11, 15-19 and 21-31.

In paragraph 2 of the Office Action the Examiner indicates that the February 9, 2007 Information Disclosure Statement failed to comply with 37 CFR §1.98(a)(2) which requires a legible copy of each cited foreign patent document and each non-patent literature publication or that portion which caused it to be listed and all other information or that portion which caused it to be listed. Applicants submit that copies of each of the foreign patent document and non-patent literature publication submitted with the February 9, 2007 Information Disclosure Statement were submitted with the Information Disclosure Statement on February 9, 2007. However, in order to expedite prosecution of the present application filed on even date herewith is a Form PTO-1449 listing the foreign patent document and non-patent literature publication and copies thereof not indicated as being considered by the Examiner. Applicant respectfully request that the Examiner indicate consideration of said references in the forth coming Office Action.

The Examiner also notes in paragraph 2 of the Office Action that the "EMC 2-Gigabit Disk-Array Enclosure" reference submitted by the February 9, 2007 Information Disclosure Statement only contained odd-numbered pages. Applicants submit that another complete copy of said references is attached. Therefore, the Examiner is respectfully requested to acknowledge consideration of said references in the forth coming Office Action.

Claim 6 stands rejected under 35 USC §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regards as their invention. Various amendments were made throughout claim 6 to bring it into conformity with the requirements of 35 USC §112, second paragraph. Therefore, this rejection with respect to claim 6 is overcome and should be withdrawn.

Specifically, amendments were made throughout claim 6 to overcome the objections noted by the Examiner in the Office Action.

Claims 1-8, 11-14 and 18-20 stand rejected under 35 USC §103(a) as being unpatentable over Oomori (U.S. Patent Application Publication No. 2004/0003306) in view of Mizuno (U.S. Patent No. 5,838,891), Penny (U.S. Patent Application Publication No. 2004/0199515) and the article entitled ("Adaptec FS4500 Fibre to SATA RAID"); and claims 1-8, 11-14 and 18-20 stand rejected under 35 USC §103(a) as being unpatentable over Oomori in view of Mizuno, Penny and Fujie (U.S. Patent Application Publication No. 2003/0110330).

As indicated above, claims 12-14 and 20 were canceled. Therefore, these rejections with respect to claims 12-14 and 20 are rendered moot. Accordingly, reconsideration and withdrawal of these rejections with respect to claims 12-14 and 20 is respectfully requested.

It should be noted that the cancellation of claims 12-14 and 20 was not intended nor should it be considered as an agreement on Applicants part that the features recited in claims 12-14 and 20 are taught or suggested by any of the references of record whether said references are taken individually or in

combination with each other. The cancellation of claims 12-14 and 20 was simply intended to expedite prosecution of the present application.

Further, it should be noted that claims 1-8, 11, 18 and 19 were amended to depend from allowed claim 15. Therefore, the above noted rejections of claims 1-8, 11, 18 and 19 are rendered moot.

As indicated above, the present Amendment adds new claims 21-31 which depend from claim 17. Since new claims 21-31 depend from allowed claim 17, said claims are also allowable.


Applicants acknowledge the Examiner's indication in paragraph 8 of the Office Action that claims 15-17 are allowed.

In view of the foregoing amendments and remarks, applicants submit that claims 1-8, 11, 15-19 and 21-31 are in condition for allowance. Accordingly, early allowance of claims 1-8, 11, 15-19 and 21-31 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C., Deposit Account No. 50-1417 (1309.43669X00).

Respectfully submitted,

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